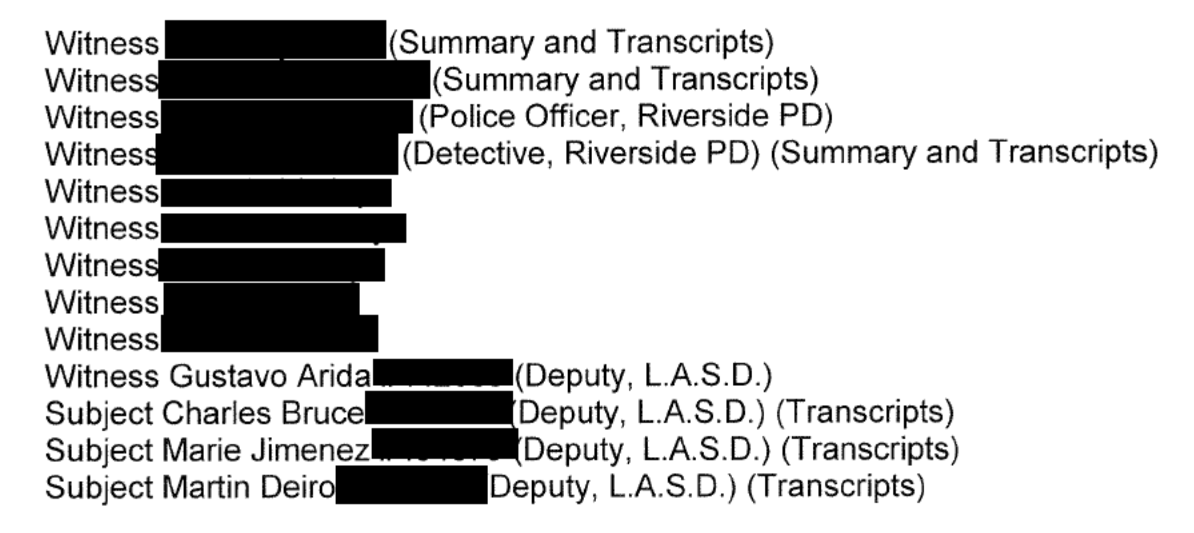
TABLE OF CONTENTS

IAB # 2353063

SUMMARIES OF INTERVIEWS



EXHIBITS

MISCELLANEOUS DOCUMENTS

[redacted]

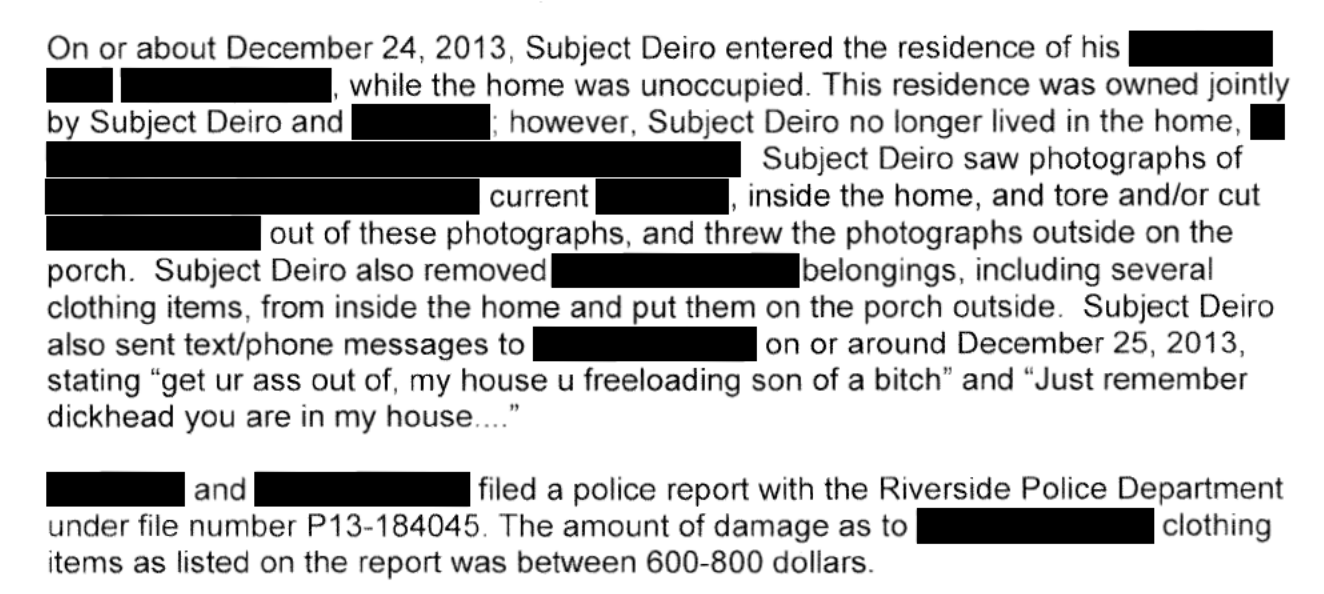
Email messages between Subject Deiro and Witness [redacted]

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IAB # 2353063
(Continued)

[redacted]

SUMMARY:



On or about December 24, 2013, Subject Deiro entered the residence of his [redacted] [redacted] [redacted], while the home was unoccupied. This residence was owned jointly by Subject Deiro and [redacted]; however, Subject Deiro no longer lived in the home, [redacted] Subject Deiro saw photographs of [redacted] current [redacted], inside the home, and tore and/or cut [redacted] out of these photographs, and threw the photographs outside on the porch. Subject Deiro also removed [redacted] belongings, including several clothing items, from inside the home and put them on the porch outside. Subject Deiro also sent text/phone messages to [redacted] on or around December 25, 2013, stating “get ur ass out of, my house u freeloading son of a bitch” and “Just remember dickhead you are in my house....”

[redacted] and [redacted] filed a police report with the Riverside Police Department under file number P13-184045. The amount of damage as to [redacted] clothing items as listed on the report was between 600-800 dollars.

Subject Deiro was interviewed by Riverside Police Department Detective [redacted] on or about January 14, 2014. During this interview, Subject Deiro made several inappropriate statements to Detective [redacted] regarding the nature of Riverside Police Department's vandalism investigation. It was also at this time Subject Deiro became aware he was a named suspect in a felony vandalism case with the Riverside Police Department. Subject Deiro failed to notify the Department as required by policy.

On or around March 12, 2014, Riverside Police Department sent a letter to the Department that stated Subject Deiro was listed as a suspect in a felony vandalism that occurred on December 24, 2013, and that the Riverside District Attorney's Office declined to file charges against Subject Deiro.

During this investigation, it was discovered that on or about May 30, 2012, Subject Deiro, while on duty, utilized a Department computer to run [redacted] information. Subject Deiro did not have [redacted] detained at that time, nor did he have any law enforcement related reason to conduct the computer check.

On February 5, 2015, Subject Deiro was interviewed as a part of an administrative investigation. He denied damaging photographs of [redacted] that were in [redacted]. [redacted] home. Regarding the clothing, he admitted he placed two pair of jeans, two shirts, and a pair of thrashed work boots on the porch. He estimated the dollar value of everything to be about twenty dollars.

On February 27, 2015, Subject Deiro was interviewed a second time, and admitted to tearing pictures containing images of [redacted] that he found in [redacted] residence.

DISCIPLINE ASSESSMENT

[redacted]

[redacted]

[redacted]

[redacted]	[redacted]
[redacted]	[redacted]
[redacted]	

Assessment of Mitigating and Aggravating Factors

Severity of Infraction:

Subject Deiro acted in such a manner as to cause embarrassment to the Los Angeles County Sheriff's Department when he entered the residence of [redacted] and removed the personal property of [redacted] without his knowledge or consent. Although Subject Deiro jointly owns the home with [redacted], he has not lived there for several years, and had no right to be in the residence.

Moreover, Subject Deiro damaged the reputation of the Department, and brought discredit upon himself and the Department, when he made several inappropriate statements to Detective [redacted] regarding the nature of the vandalism investigation being conducted by Riverside PD.

The unauthorized and/or inappropriate use of County communications equipment (MDT/MDC) is a clear violation of Department policy. The improper use of this information by Subject Deiro has brought discredit upon himself and/or the Los Angeles County Sheriff's Department.

What compounds this entire issue, is the fact that once becoming aware of being a named suspect in a felony vandalism investigation, Subject Deiro failed to properly notify the Department of this off-duty incident. He was aware of the policy that requires him to make a notification, but did not think it was the Department's business.

Intent, Truthfulness and Acceptance of Responsibility:

Subject Deiro did not appear to be completely truthful or candid during the investigation. Subject Deiro stated in his first administrative interview that he did not damage any photographs at his [redacted] residence. However, during his second administrative interview, he admitted to tearing photographs containing images of [redacted], which was only after being presented with his prior admissions to [redacted] where he admitted to damaging the photographs.

Subject Deiro accepted responsibility for removing [redacted] clothing from inside the home, but minimized his actions by stating it was not worth as much as the police report indicated, and that he did not intentionally damage the items with water. Subject

Deiro accepted responsibility for his actions with respect to the improper use of the MDT/MDC.

Subject Deiro admitted he "did not handle the situation right" when he failed to notify the Department that he was named as a felony vandalism suspect in a Riverside Police report. However, he continually asserted he had not committed the crime of vandalism and stated he "just didn't need the Department to give me more grief than I already had in my life." He stated it was a private and personal matter and none of the Department's business.

[redacted]



Jim McDonnell, Sheriff

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



July 17, 2015

Deputy Martin V. Deiro, #[redacted]

Dear Deputy Deiro:

You are hereby notified that it is the intention of the Sheriff's Department to discharge you from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective the close of business August 7, 2015.

An investigation under IAB File Number 2353063, conducted by Transit Policing Division, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior and/or 3-01/030.15, Conduct Toward Others, on or about December 24, 2013, you brought discredit to yourself and the Department, and displayed antagonistic, uncivil, and disrespectful conduct towards [redacted] as evidenced by, but not limited to the following:

    a. entering the residence of [redacted] and removing the clothing and other personal property of Mr. [redacted] from inside the home to the front yard, and damaging photographs containing images of Mr. [redacted] without Mr. [redacted] knowledge and/or consent; and/or,

    b. sending inappropriate text/phone messages to Mr. [redacted] on or around December 25, 2013, stating "get ur ass out of, my house u freeloading son of a bitch" and "Just remember dickhead you are in my house...." and/or words to that effect; and/or,

c. being named as a suspect in a Riverside Police Department Initial Report (File Number P13-184045) for Section 594 (Vandalism), and being subsequently referred for prosecution to the District Attorney, County of Riverside.

2. That in violation of Manual of Policy and Procedures, Sections 3-01/000.10, Professional Conduct; and/or 3-01/030.05, General Behavior; and/or 3-01/040.85, Cooperation During Criminal Investigation, on or about January 14, 2014, you caused undue embarrassment and/or damaged the reputation of the Department, brought discredit upon yourself and the Department, and/or failed to cooperate and/or interfered with a criminal investigation, when you made several inappropriate statements to Riverside Police Department Detective [redacted] regarding the nature of the Riverside Police Department's vandalism investigation of you, as evidenced by, but not limited to the following:

a. asking whether Riverside district attorneys ever contact the suspect directly and "get their side," because, "I know the way cops are. They're liars, and they try to make themselves look good by getting a felony stat, and trying to do all this crazy shit to people that's not right. I don't work that way, never have, and never will. But I know a lot of guys who do, including detectives, fuckin' you name it, all the way up the chain," and/or words to that effect.

3. That in violation of Manual of Policy and Procedures Sections 3-01/040.75, Failure to Make Statements, and/or Making False Statements During Departmental Internal Investigations, on or about February 5, 2015, you failed to make complete and truthful statements during the course of an administrative investigation, concerning your actions regarding the destruction and/or damaging of Mr. [redacted] personal property, including photographs.

4. That in violation of Manual of Policy and Procedures Sections 3-01/050.10, Performance to Standards; and/or 3-01/100.45, Use of Communications Equipment, on or about May 30, 2012, while on duty, you failed to perform to standards established for your position, when you utilized computer terminal equipment and gained access to Sheriff's Data Network to obtain [redacted] Driver License information for personal, social and/or unofficial purposes.

5. That in violation of Manual of Policies and Procedures Sections 3-01/050.30, Off-Duty Incidents and/or 3-01/040.85, Cooperation During Criminal Investigation, on or about January 14, 2014, you

failed to promptly notify your immediate supervisor and/or on-duty watch commander that you were a named suspect in a criminal investigation; and/or failed to properly notify the Department of your interview by Riverside Police Department Detective [redacted] concerning the criminal investigation.

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary and Investigative Packet which are incorporated herein by reference.

You may respond to the intended action orally or in writing. In the event that you choose to respond orally to these charges, you have already been scheduled to meet with Chief Ronene M. Anda, on July 30, 2015, at 0900 hours, in his office, which is located at One Gateway Plaza 25th floor, Los Angeles California 90012. If you are unable to appear at the scheduled time and wish to schedule some other time prior to August 4, 2015, for your oral response, please call Chief Anda's secretary at [redacted] for an appointment.

If you choose to respond in writing, please call Chief Anda's secretary to cancel your scheduled appointment, and send your response to the facts contained in this letter to Chief Anda's office by no later than August 7, 2015.

Unless you are currently on some other type of authorized leave, pursuant to Rule 16.01 of the Los Angeles County Civil Service Commission Rules, effective immediately, you are on paid administrative leave which will continue during the fifteen (15) business days you have to respond to the intended discharge or until the conclusion of your pre-disciplinary hearing. If you are presently on an authorized leave, that leave will continue during the fifteen (15) business days you have to respond to the intended discharge, or until the conclusion of your pre-disciplinary hearing.

Failure to respond to this Letter of Intent within fifteen (15) business days will be considered a waiver of your right to respond and will result in the imposition of the discipline indicated herein.

If you did not receive the investigative material on which your discipline is based at the time you were served with this correspondence, you may contact the Internal Affairs Bureau at (323) 890-5300, to obtain a copy of the case file.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

JIM McDONNELL, SHERIFF

Donnie L. Mauldin, Captain
Internal Affairs Bureau

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

DLM:JMR:jr

cc: Advocacy Unit
Employee Relations Unit
Chief Ronene M. Anda, Transit Policing Division
Internal Affairs Bureau
(File #2353063)



OFFICE OF THE SHERIFF



COUNTY OF LOS ANGELES

HALL OF JUSTICE

JIM MCDONNELL, SHERIFF

August 13, 2015

Deputy Martin V. Deiro, [redacted] Date of Department Hire 06/13/1997

Dear Deputy Deiro:

On July 17, 2015, you were served with a Letter of Intention indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under File Number IAB 2353063. You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. However, after review and consideration of the response submitted to support your position, it has been determined that the recommended discipline is appropriate.

You are hereby notified that you are discharged from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective as of the close of business on August 12, 2015.

An investigation under File Number IAB 2353063, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:



- [redacted]

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service

Since 1850



[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

3. That in violation of Manual of Policy and Procedures Sections 3-01/040.75, Failure to Make Statements, and/or Making False Statements During Departmental Internal Investigations, on or about February 5, 2015, you failed to make complete and truthful statements during the course of an administrative investigation, concerning your actions regarding the destruction and/or damaging of Mr. [redacted] personal property, including photographs.

[redacted] [redacted]

[redacted] [redacted]

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary and Investigative Packet which are incorporated herein by reference.

In taking this disciplinary action, your record with this Department has been considered, and a thorough review of this incident has been made by Department executives, including your Unit and Division Commanders.

You may appeal the Department's action in this matter pursuant to Rules 4.02, 4.05 and 18.02 of the Civil Service Rules.

You may, if you so desire, within fifteen (15) business days from the date of service of this notice of discharge, request a hearing on these charges before the Los Angeles County Civil Service Commission, 222 North Grand Avenue, Los Angeles, California 90012.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

JIM McDONNELL, SHERIFF

RONENE M. ANDA, CHIEF
TRANSIT POLICING DIVISION

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures and Civil Service Rules.

RMA:EMS:DLM:ym

cc: Advocacy Unit
Ronene M. Anda, Chief, Transit Policing Division
Jennifer L. Bateman, Captain,
Internal Affairs Bureau
Judy A. Gerhardt, Captain, Personnel Administration